

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		GRANT NUMBER (FAIN): 00T47801	DATE OF AWARD 06/29/2012	
			MODIFICATION NUMBER: 2 PROGRAM CODE: CE		
			TYPE OF ACTION Augmentation: Increase		MAILING DATE 07/06/2012
			PAYMENT METHOD: ASAP		ACH# 90017
RECIPIENT TYPE: Intermunicipal			Send Payment Request to: Las Vegas Finance Center, Fax (702) 798-2423		
RECIPIENT: Assoc of Bay Area Governments P.O. Box 2050 Oakland, CA 94604 EIN: 94-2832478			PAYEE: Executive Director Assoc of Bay Area Governments P.O. Box 2050 Oakland, CA 94604		
PROJECT MANAGER Judy A Kelly P.O. Box 2050 Oakland, CA 94604 E-Mail: jakelly@waterboards.ca.gov Phone: 510-622-8137		EPA PROJECT OFFICER Luisa Valiela 75 Hawthorne Street, WTR-3 San Francisco, CA 94105 E-Mail: Valiela.Luisa@epa.gov Phone: 415-972-3400		EPA GRANT SPECIALIST Maria Roverso Grants Management Office, MTS-7 E-Mail: roverso.maria@epa.gov Phone: 415-972-3573	
PROJECT TITLE AND EXPLANATION OF CHANGES National Estuary Program - San Francisco Estuary Program This assistance agreement provides federal funding in the amount of \$597,334 to a revised total of \$1,996,134 for the continuation of technical and administrative support of the implementation of the San Francisco Estuary Partnership's (SFEP) Comprehensive Conservation and Management Plan. The work to be accomplished under this grant follow SFEP's Strategic Plan Goals and Objectives, which include focused efforts in geographic areas where major projects are underway. This award provides funding for the period of 10/01/2012 - 09/30/2013.					
BUDGET PERIOD 10/01/2011 - 09/30/2013		PROJECT PERIOD 10/01/2011 - 09/30/2013		TOTAL BUDGET PERIOD COST \$4,011,657.00	
				TOTAL PROJECT PERIOD COST \$4,011,657.00	
NOTICE OF AWARD					
Based on your Application dated 05/09/2012 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$597,334. EPA agrees to cost-share 49.76% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,996,134. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105			ORGANIZATION / ADDRESS U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY					
Digital signature applied by EPA Award Official for Denise Zvanovec - Grants Management Officer GwenL Brown - Award Official delegate				DATE 06/29/2012	

CE - 00T47801 - 2 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 1,398,800	\$ 597,334	\$ 1,996,134
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 41,700	\$ 25,727	\$ 67,427
State Contribution	\$ 620,012	\$ 272,575	\$ 892,587
Local Contribution	\$ 750,000	\$ 305,509	\$ 1,055,509
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 2,810,512	\$ 1,201,145	\$ 4,011,657

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.456 - National Estuary Program	Clean Water Act: Sec. 320	40 CFR PTS 31 & 35 SUBPT P

[illegible]

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$766,048
2. Fringe Benefits	\$487,205
3. Travel	\$20,000
4. Equipment	\$6,000
5. Supplies	\$11,500
6. Contractual	\$2,549,832
7. Construction	\$0
8. Other	\$117,689
9. Total Direct Charges	\$3,958,274
10. Indirect Costs: % Base <u>various rates apply</u>	\$53,383
11. Total (Share: Recipient <u>50.24 %</u> Federal <u>49.76 %</u> .)	\$4,011,657
12. Total Approved Assistance Amount	\$1,996,134
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$597,334
15. Total EPA Amount Awarded To Date	\$1,996,134

Administrative Conditions

Administrative Terms and Conditions #2 and 5 have been revised. All Other Administrative Terms and Conditions Remain the Same.

2. Non-Federal Third-Party Contributions

This award includes \$1,948,096 of non-federal third party contributions. Third party contributions counting towards satisfying a cost sharing or matching requirement must be verifiable from the records of grantees and subgrantees. As applicable, these records must reflect how the value is placed on third party contributions. The value of third party contributions must be applicable to the period to which the cost sharing or matching requirement apply (refer to 40 CFR Part 31.24 or Part 30.23 as applicable).

5. Payment to Consultants

Per 40 CFR Part 31.36(j), EPA's participation in the salary rate (excluding overhead and travel) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule, to be adjusted annually. The Federal Executive Schedule (i.e., Salary Table) is located at: <http://www.opm.gov/oca/>

This limit applies to consultation services of designated individuals with specialized skills and if the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. This rate does not include overhead or travel costs and the recipient may pay these in accordance with its normal travel practices.

Subagreements with firms or individuals for services which are awarded using the procurement requirements in 40 CFR Part 31, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR Part 31.36(j)(2).

Programmatic Conditions

Programmatic Term and Condition P5 has been added. All Other Programmatic Terms and Conditions Remain the Same.

P5. EPA oversight role: EPA may terminate the assistance agreement for failure of the recipient to make sufficient progress so as to reasonably ensure completion of the project within the project period, including any extensions. EPA will measure sufficient progress by examining the performance required under the workplan in conjunction with the milestone schedule, the time remaining for performance within the project period, and/or the availability of funds necessary to complete the project.

END OF DOCUMENT